



# Adjudication Efficiencies

---



# Adjudication Efficiencies

- Dismissal versus Termination
- Status Dockets
- Pretermittting Applications



# Adjudication Efficiencies

- Dismissal versus Termination



# Adjudication Efficiencies

- Status Dockets



# Adjudication Efficiencies

- Pretermittting Applications



# Ineligibility for Non-LPR COR

Under INA §240A(b)(1)(C), any respondent convicted of an “offense under 212(a)(2), 237(a)(2), or 237(a)(3)” is ineligible for non-LPR COR

- ✓ When determining if offense under INA § 212(a)(2), 237(a)(2), or 237(a)(3), apply the categorical approach, unless circumstance-specific approach applies.
  - ✓ Burden on respondent to establish the absence of a disqualifying offense. INA § 240(c)(4) and 8 C.F.R § 1240.8(d).
  - ✓ Circuit split:
    - 3rd, 4th, 5th, 6th, 7th, 8th, 9th, and 10<sup>th</sup> - if conviction divisible, respondent must demonstrate that conviction was under portion that is not for generic offense under 212 or 237;
    - 1st and 2<sup>nd</sup> - respondent not necessarily ineligible where statute is divisible and record inconclusive.
- Warning - Check circuit law to verify and consider developments.



# Adjudication Efficiencies

- Use of Declarations and/or Stipulations
- Voluntary Departure/Removal Orders
- *Matter of E-F-H-L-*, 27 I&N Dec. 226 (A.G. 2018)



# Adjudication Efficiencies

- Use of Declarations and/or Stipulations





# Adjudication Efficiencies

- Voluntary Departure/Removal Orders



# Adjudication Efficiencies

- *Matter of E-F-H-L-*, 27 I&N Dec. 226 (A.G. 2018)

